

**REMARKS/ARGUMENTS**

Applicants acknowledge receipt of the Office Action dated May 18, 2005. Claims 1-2 and 5-21 are pending in the application. By this response, claims 1 and 5 are amended, and claims 3-4 and 22-30 are cancelled. Claims 1-3 are rejected under 35 U.S.C. § 102(e) as being anticipated by Larson et al., U.S. Patent No. 5,781,373 ("*Larson*"). Claims 4-21 stand objected to as being dependent upon a rejected claim. Applicants believe all pending claims are allowable over the art of record and respectfully request reconsideration and allowance.

**I. Claims 1-2 are allowable over *Larson*.**

The Examiner has rejected claims 1-3 as being anticipated by *Larson*. Please note that claim 3 has been cancelled by this Response. Applicants submit that the claims are not anticipated by *Larson* because *Larson* fails to disclose each and every limitation of these claims.

Claim 1 is an independent claim upon which claim 2 depends. Claim 1, as amended, recites "wherein said relief means (15; 55; 76) comprise a tuned soundbox (16)." Nothing in *Larson* discloses a relief means comprising a tuned soundbox. Please note that claim 1 has been amended to include the recitations of claim 4. The Examiner noted that "[c]laims 4-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (Office Action, page 3, lns. 1-3)

In view of the recitations in claim 1 that are neither taught nor suggested by *Larson*, the Applicants respectfully request that the Examiner withdraw the § 102 rejection and allow claim 1. Applicants further request that the Examiner also withdraw the § 102 rejection of dependent claim 2, since it is submitted that independent claim 1 is allowable. Dependent claim 2 must a

*fortiori* also be allowable, since it carries all the limitations of the independent claim to which it refers.

## **II. Claims 5-21 are allowable.**

The Examiner has objected to claims 4-21 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (Office Action, page 3, Ins. 1-3) By this Response, claim 4 has been cancelled. Claims 5-21 are dependent upon independent claim 1. As noted above in section I, independent claim 1 is allowable. Consequently, claims 5-21 must also be allowable as they carry with them all the limitations of such independent claim. Therefore, Applicants respectfully request the Examiner to remove the objections to such claims and allow them.

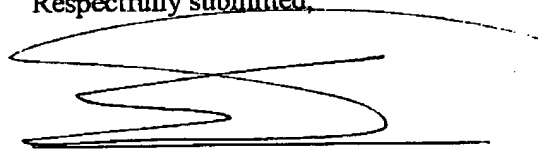
## **III. Conclusion**

Applicants respectfully request reconsideration, allowance of the pending claims and a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone conference would expedite the resolution of this case, the Examiner is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,



Tod T. Tumey  
PTO Reg. No. 47,146  
CONLEY ROSE, P.C.  
P.O. Box 3267  
Houston, TX 77253-3267  
(713) 238-8000 (Phone)  
(713) 238-8008 (Fax)  
ATTORNEY FOR APPLICANTS